

REMARKS

In the outstanding Official Action, the Examiner:

(1) acknowledged Applicants' previous election of Group I, claims 1-12;

(2) objected to the drawings as failing to comply with 37 CFR 1.84 (p)(4), and required a proposed drawing correction or corrected drawings;

(3) rejected claim 5 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention;

(4) rejected claims 1 and 4-7 under 35 USC 102(e) as being anticipated by Langberg et al.;

(5) indicated that claims 10-12 are allowed; and

(6) indicated that claims 2, 3, 8 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In response to Item 1 above, Applicants confirm the previous election of Group I, claims 1-12, drawn to an apparatus for reducing mitral regurgitation.

Applicants expressly reserve the right to prosecute all non-elected subject matter in related applications.

In response to Item 2 above, Applicants have now amended Fig. 5 to replace reference numerals "56" with -- 57 -- and have now amended the specification on page 16, line 14, through page 18, line 8, to replace reference numeral "56" with -- 57 -- after the word "bridges".

In response to Item 3 above, Applicants have now amended claim 5 to more clearly define the present invention. Specifically, claim 5 is now amended to recite that the selected one of the second configuration is the less curved configuration, and further wherein the less curved configuration is substantially straight. Accordingly, claim 5 is believed to be in condition for allowance, and allowance thereof is respectfully requested.

In response to item 4 above, Applicants have now amended claims 1 and 5 to more clearly define the present invention as claimed with respect to the prior art of record.

Independent claim 1 comprises apparatus for reducing mitral regurgitation comprising a flexible

spine forming a longitudinal axis from the proximal end to the distal end, a plurality of wire supporting portions extending transversely from the spine, each portion defining a channel therethrough configured on the spine, the plurality of wire supporting portions defining a plurality of openings therebetween, and a plurality of flexible bridges connecting the plurality of wire supporting portions to one another, and a flexible wire slideably mounted through the plurality of wire supporting portions on the spine and having a distal end fixed to the spine proximate to the distal end of the spine, and having a proximal portion extending from the proximal end of the spine.

Applicants believe that Langberg et al. disclose a device for mitral annuloplasty and cardiac reinforcement in which a forming element and an elongate support extending through a body and mechanically linked together at a point of attachment. Applicants believe that Langberg et al. do not disclose the flexible spine of the present invention as described above with a plurality of wire supporting portions having a flexible wire slideably mounted therethrough and a plurality of flexible bridges

connecting the plurality of wire supporting portions to one another. Accordingly, claim 1 is believed to be in condition for allowance, and allowance thereof is respectfully requested.

Claims 4-7, which depend directly or ultimately from independent claim 1, are believed to be in condition for allowance for at least the above identified reasons. Accordingly, allowance of claims 4-7 is respectfully requested.

In response to item 5 above, Applicants thank the Examiner for her indication that claims 10-12 are allowed.

In response to Item 6 above, Applicants thank the Examiner for her indication that claims 2, 3, 8 and 9 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have now added new independent claims 18-21, which correspond to claims 2, 3, 8 and 9, respectively, and include the limitations of the base claim and any intervening claims. Accordingly, claims 18-21 are believed to be in condition for allowance, and allowance thereof is respectfully requested.

In the event that any additional fees may be required to be paid in connection with this submission, please charge the same, or credit any overpayment, to Deposit Account No. 16-0221.

Respectfully submitted,

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